

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

AMOR MINISTRIES,

Plaintiff,

v.

CENTURY SURETY COMPANY,

Defendant.

Case No.: 13-cv-1441-GPC-BGS  
[Consolidated with 13-cv-2517]

**ORDER REQUIRING  
SUPPLEMENTAL BRIEFING AND  
CONTINUING HEARING DATE**

[ECF Nos. 77, 78, 79]

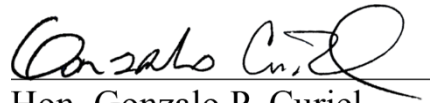
Presently before the Court are Century Surety Company's ("Defendant's") Rule 50(a) motions for judgment as a matter of law on (1) Amor Ministries' and the Days' (collectively "Plaintiffs") claim for punitive damages (ECF No. 77); (2) Days' claim for emotional distress damages (ECF No. 78); and (3) the Days' attorney's fees claim (ECF No. 79). The Parties have fully briefed the motions. (ECF Nos. 99, 105.)

Plaintiffs' opposition rests in part on the argument that a party cannot properly "raise arguments in its post-trial motion for judgment as a matter of law under Rule 50(b) that it did not raise in its pre-verdict Rule 50(a) motion." *E.E.O.C. v. Go Daddy Software, Inc.*, 581 F.3d 951, 961 (9th Cir. 2009). Plaintiffs argue that Defendant's additional arguments that were not asserted in its pre-verdict Rule 50(a) motions—discussed in Sections A, B and C of Defendant's Supplemental Motion (ECF No. 99)—are thus procedurally foreclosed. Accordingly, **IT IS HEREBY ORDERED** that Defendant is to submit supplemental briefing on the issue on or by **March 11, 2016**.

1 The hearing scheduled for **Friday, March 11, 2016** is hereby **CONTINUED** to  
2 **Friday, April 8, 2016.**

3 **IT IS SO ORDERED.**

4 Dated: March 3, 2016

5   
6 Hon. Gonzalo P. Curiel  
7 United States District Judge  
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